

### **REMARKS**

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Office Action dated August 31, 2007. In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

### **Status of the Claims**

As outlined above, claims 1-16 stand for consideration in this application, wherein claims 1-3, 5, 9, and 11-15 are being amended.

### **Additional Amendments**

The abstract is being amended. All amendments to the application are fully supported therein, including Figs. 19-21. Applicants hereby submit that no new matter is being introduced into the application through the submission of this response.

### **Abstract**

The Examiner required that the Abstract of the Disclosure be amended in proper language and format. Applicants respectfully traverse the Examiner's requirement for Applicants to amend the Abstract of the Disclosure.

First, Applicants will contend that no improper language asserted by the Examiner is used in the Abstract of the Disclosure. Also, Applicant will contend that the amendment as required by the Examiner would narrow the technical description of Applicants' abstract. The U. S. Court of Appeal for the Federal Circuit expressly held in *Hill-Rom Co. v. Kinetic Concepts Inc.*, 209 F.3d 1337, 54 USPQ2d1437 (Fed. Cir. 2000) that the description in an abstract could, would, and did provide a basis for construing the scope of a claim; and this was done to the patentee's disadvantage, i.e., the claim was held narrower than its literal language (even though free of the prior art without that narrowed scope) which resulted, as a consequence, in a holding of non-infringement.

Rule 1.72 (b) and MPEP §608.01(b) sets forth that the abstract may not or should not exceed 150 words in length. However, 35 U.S.C. §112 does not expressly limit the range of the words of the abstract. Applicants have properly provided the abstract which meets 35 U.S.C. §112 requirements. Amendment of the abstract to meet the word ranges of 50 to 150

words could be interpreted to narrow Applicants' claims, as a consequence of *Hill-Rom*, whereby the claims would no longer reflect "the subject matter which the applicant regards as his invention," in derogation of 35 U.S.C. §112, ¶2.

However, in order to advance the prosecution of this case, the Abstract of the Disclosure is being amended as set forth above. Applicants do not intend to limit the scope of the present invention by this amending of the Abstract of the Disclosure.

#### Formal Objection

Claim 5 was objected to on the grounds of informalities.

Claim 5 is being amended so as to meet the Examiner's requirements. Accordingly, withdrawal of this objection is respectfully requested.

#### Formal Rejection

Claim 5 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claim 5 is being amended so as to meet the requirements under 35 U.S.C. §112, second paragraph, as suggested by the Examiner. Accordingly, withdrawal of this rejection is respectfully requested.

#### Prior Art Rejections

##### The First 35 U.S.C. §102(e) Rejection

Each of claims 1, 4-8, and 11 was rejected under 35 U.S.C. §102(e) as being anticipated by Aura (U.S. Publication No. 2005/0041634 A1). Applicants respectfully traverse this rejection for the reasons set forth below.

The present application claims the priority to the date of filing the corresponding Japanese application 2003-065329, namely, March 11, 2003. Aura was filed December 15, 2003 and its provisional application No. 60/493,125 was filed August 6, 2003. The priority date of the present application is clearly prior to that of Aura. Therefore, Aura is not properly citable as prior art under 35 U.S.C. §102(e), and thus, this rejection is not proper. Accordingly, withdrawal of this rejection is respectfully requested.

### The Second 35 U.S.C. §102(e) Rejection

Each of claims 12-14 was rejected under 35 U.S.C. §102(e) as being anticipated by Akhtar et al. (U.S. Pat. No. 6,769,000 B1). Applicants respectfully traverse these rejections for the reasons set forth below.

According to the M.P.E.P. §2131, a claim is anticipated under 35 U.S.C. §102 (a), (b), and (e) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.

### Claim 12

In a method as recited in claim 12 as amended, the IP protocol network contains an authentication server that controls information required for authorizing access to a home network of the terminal device.

In contrast, Akhtar shows that the user's home NSF (Network Service Function) contains an authentication server 450b and the authentication server 450b receives a user's authentication parameter 2102c, which is the user's digital signature, and acquires the user's public key in a directory, which would be used to authenticate the user (Fig. 21, col. 43, line 42 – col. 44., line 25). However, Akhtar does not show or suggest that the IP protocol network contains an authentication server that controls information required for authorizing access to a home network of the terminal device.

Therefore, Akhtar does not show every element recited in claim 12. Accordingly, claim 12 is not anticipated by Akhtar.

### Claim 13-14

As to dependent claims 13 and 14, the arguments set forth above with respect to independent claim 12 are equally applicable here. The corresponding base claim being allowable, claims 13 and 14 must also be allowable.

### 35 U.S.C. §103(a) Rejections

Claims 2-3 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Aura in view of Turner et al. (U.S. Patent No. 6,018,524). Claims 9-10 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Aura in view of Wada et al. (U.S. Patent No. 5,517,618). Claim 16 was rejected under 35 U.S.C. §103(a) as being

allegedly unpatentable over Akhtar in view of Aura. These rejections are respectfully traversed for the reasons set forth below.

As set forth above, Aura is not properly citable as prior art under 35 U.S.C. §103(a), and therefore, these rejections are improper. Accordingly, withdrawal of these rejections is respectfully requested.

#### Claim 15

Claim 15 was rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Akhtar in view of Hesham Soliman's "Hierarchical MIPv6 Mobility Management." This rejection is respectfully traversed for the reasons set forth below.

As set forth above, Akhtar fails to teach all the elements recited in claim 12, from which claim 15 depends. The secondary reference of Hesham Soliman fails to provide any disclosure, teaching or suggestion that makes up for the deficiencies in Akhtar. Therefore, at the time the invention was made, one of ordinary skill in the art could not and would not achieve all the features as recited in claim 12, from which claim 15 depend. Accordingly, claim 15 is not obvious in view of all the prior art cited.

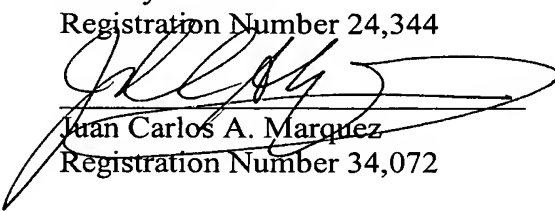
#### Conclusion

In light of the Amendments and Remarks, Applicants respectfully request early and favorable action with regard to the present application, and a Notice of Allowance for all pending claims is earnestly solicited.

Favorable reconsideration of this application as amended is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicants' undersigned representative at the address and phone number indicated below.

Respectfully submitted,

\_\_\_\_\_  
Stanley P. Fisher  
Registration Number 24,344

  
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Juan Carlos A. Marquez  
Registration Number 34,072

**REED SMITH LLP**  
3110 Fairview Park Drive  
Suite 1400  
Falls Church, Virginia 22042  
(703) 641-4200

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